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8      **Attorneys for Plaintiffs**  
9      **Garden City Boxing Club, Inc.**

10     **UNITED STATES DISTRICT COURT**  
11     **NORTHERN DISTRICT OF CALIFORNIA**

12     **Garden City Boxing Club, Inc.**

13     **CASE NO. 3:07-cv-05925-MMC**

14     **Plaintiff,**

15     **vs.**

16     **Miguel Juarez Zavala, et al.**

17     **PLAINTIFF'S EX PARTE**  
18     **APPLICATION FOR AN ORDER**  
19     **CONTINUING CASE MANAGEMENT**  
20     **CONFERENCE; AND ORDER**  
21     **(Proposed)**

22     Plaintiff Garden City Boxing Club, Inc., hereby applies *ex parte* for an order continuing the  
23     initial Case Management Conference in this action, presently set for Friday, May 23, 2008 at 9:00 a.m.  
24     to a new date approximately thirty (30) to forty-five (45) days forward. This request is necessitated by  
25     the fact that Plaintiff only recently perfected service of process as to the remaining Defendant named to  
26     this action. (Please see Plaintiff's Exhibit 1, attached.)

27     In addition, as of this writing, Plaintiff has yet to receive an answer or any other responsive  
28     pleading from the Defendant and the Defendant has not contacted Plaintiff's counsel following service  
29     of the suit papers. As a result, Plaintiff's counsel has not conferred with the Defendant concerning the  
30     claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the  
31     preparation of a Case Management Conference Statement.

32     **PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING**  
33     **CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)**  
34     **CASE NO. 3:07-cv-05925-MMC**

35     **PAGE 1**

**Wherefore**, Plaintiff respectfully requests that this Honorable Court continue the Case Management Conference presently scheduled for Friday May 23, 2008 to a new date approximately thirty (30) to forty-five (45) days forward in order that responsive pleadings may be filed by the remaining Defendant and Plaintiff's counsel may thereafter confer with the Defendant and/or his counsel and thereafter prepare and file a Joint Case Management Conference Statement for the Court's review.

Respectfully submitted,

Dated: May 13, 2008

*/s/ Thomas P. Riley*

**LAW OFFICES OF THOMAS P. RILEY, P.C.**  
By: Thomas P. Riley  
Attorneys for Plaintiff  
Garden City Boxing Club, Inc.

**PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING  
CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)  
CASE NO. 3:07-cv-5925-MMC**

**ORDER (~~Proposed~~)**

It is hereby ordered that the Case Management Conference in civil action number 3:07-cv-5925-MMC styled *Garden City Boxing Club, Inc. v. Miguel Juarez Zavala, et al.*, is hereby continued from 9:00 a.m., Friday, May 23, 2008, to June 27, 2008 at 10:30 a.m.

The Parties shall file a Joint Case Management Statement in advance of the Case Management Conference pursuant to the Local Rules and the Standing Order of this Court.

Plaintiff shall also serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court.

## **IT IS SO ORDERED:**

Dated: May 15, 2008

**THE HONORABLE MAXINE A. CHESNEY**  
**United States District Court**  
**Northern District of California**

## **Northern District of California**

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**PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER CONTINUING  
CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)  
CASE NO. 3:07-cv-5925-MMC  
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